

CUYAHOGA COUNTY BOARD OF HEALTH PLUMBING REGULATION

(Effective July 1, 2012)
(Amended September 1, 2012)

Section 1 – Purpose; Applicability

1.1 It is the purpose of this regulation to establish a uniform set of regulations for the registration of plumbing contractors, licensing, permitting, bonding, fees and inspection of plumbing work on residential buildings, nonresidential buildings, and accessory structures, as defined and governed by Section 3781.06 of the Ohio Revised Code, including both newly constructed and renovated structures, and the replacement of plumbing fixtures within these structures, in communities located in Cuyahoga County that are within the jurisdiction of the Cuyahoga County Board of Health (“hereinafter referred to as the “Board”). This regulation shall not apply to those municipal jurisdictions who exercise enforcement authority for plumbing.

Section 2 - Current Editions Adopted

2.1 The Cuyahoga County Board of Health hereby adopts sections 4101:3-1 to 4101:3-13 of the Ohio Administrative Code, commonly referred to as the “Ohio Plumbing Code”, for which the designation “OPC” may be substituted, in its entirety and any modifications or additions thereof adopted by the Ohio Board of Building Standards as authorized by the Ohio Administrative Code 4101:2-1-04 titled “Authority to Adopt”.

Section 3 - Registration of Plumbing Contractors

3.1 No person, firm, corporation, general contractor or subcontractor involved in the plumbing trade shall undertake individually, or for another, to engage for hire in any plumbing work within the jurisdiction of the Cuyahoga County Board of Health without first obtaining a certificate of registration from the Board. Any owner of a single-family, two-family, or three-family dwelling, who resides or intends to reside within that dwelling upon the completion of its construction, and proposes to install or alter plumbing in that same dwelling, shall not be required to obtain a certificate of registration from the Board.

Section 4 – Application for Certificate of Registration

4.1 Every applicant for registration to engage in the trade or business of plumbing shall make application for a certificate of registration on a form provided by the Cuyahoga County Board of Health. Such application must be accompanied by an appropriate registration fee, as determined by the Board, and an appropriate bond and certificate of liability insurance as explained in Section 6. Registered contractors shall have their name placed on a register of plumbing contractors maintained by the Board.

4.2 Any applicant for a certificate of registration shall provide sufficient evidence that the applicant holds a current plumbing license issued by the State of Ohio – Division of Industrial Compliance. This section is applicable to those persons intending to install or alter plumbing in either residential buildings, nonresidential buildings, or accessory structures, as defined and governed by Section 3781.06 of the Ohio Revised Code.

- 4.3 Each applicant for a certificate of registration shall provide the name of the person applying for registration, the location of his/her place of business, whether such applicant is a member of the firm, partnership, corporation, association or any combination thereof, evidence showing that such applicant is duly authorized to act for such firm, partnership, corporation, association or any combination thereof, proof of insurance as written in the form of a verified copy of the certificate of liability insurance in compliance with Section 6 as well as such other information as the Board shall prescribe.

Section 5 – Duration; Suspension or Revocation of Certificate of Registration

- 5.1 The certificate of registration is valid only for the calendar year in which the application is made and approved and shall end on December 31st of that same year.
- 5.2 The Board may suspend or revoke a certificate of registration for cause, which shall include, but not be limited to, refusal or failure to comply with the Ohio Plumbing Code, related state codes, and/or the regulations of the Board; for failure to successfully complete a project; or for conditions considered to be a hazard to the health, safety and welfare of the public.
- 5.3 The Board may reinstate the certificate of registration when the contractor demonstrates that he/she has complied with the Ohio Plumbing Code, related state codes, and/or the regulations of the Board; has successfully completed a project; and/or has eliminated any conditions previously considered to be a hazard to the health, safety and welfare of the public.
- 5.4 Any contractor or applicant to whom a certificate of registration has been denied, suspended or revoked may appeal such decision within 10 calendar days to the Health Commissioner or his/her designee who shall hold an informal hearing within 14 days of receipt of the appeal, which may be extended by agreement of the parties, to address and resolve any and all outstanding issues regarding the denial, suspension or revocation. If an acceptable resolution can not be reached, the contractor or applicant may appeal the decision of the Health Commissioner and request a hearing before the Board at its next regularly scheduled meeting.

Section 6 – Bond and Liability Insurance Required

- 6.1 Every applicant shall, as a condition of his or her registration, file with the Board a contractor's bond in the amount of twenty-five thousand dollars (\$25,000.00) using the form designated as "Contractor's Performance Bond" attached to this regulation. The contractor's bond shall guarantee full and faithful compliance by the registered plumber with the Ohio Plumbing Code and applicable codes or regulations of the State of Ohio and the Board, and shall bind the surety thereon to correct or abate any violation of said laws or regulations whenever the registered plumber named as the principal on such bond refuses, neglects, or fails to correct or abate such violation within a reasonable time limit set by the Board.
- 6.2 Every applicant shall submit to the Board a valid certificate of liability insurance showing limits of a minimum of five hundred thousand dollars (\$500,000) insuring the Board or

client against any loss or damage to persons or property from or growing out of the work being performed.

Section 7 - Permit and Fees Required

- 7.1** No person shall install or alter plumbing in any residential building, nonresidential building, or accessory structure as defined and governed by Section 3781.06 of the Ohio Revised Code, until a permit has been obtained from the Board. Permits shall be issued to a registered plumbing contractor, except permits will be issued to any owner of a single-family, two-family, or three-family dwelling who resides within that dwelling, or who intends to reside within that dwelling upon the completion of its construction, and who proposes to install or alter plumbing in that dwelling, provided that the owner must install the plumbing for which the permit was obtained.
- 7.2** No installation, alteration or replacement of plumbing shall begin prior to the submittal of an application for a permit to install or alter plumbing and the issuance of a permit by the Board. The application shall be on a form provided by the Board. If a permit is deemed to be necessary after initiating emergency repairs on a plumbing system, the permit must be obtained on the next business day.
- 7.3** Each application for a permit to install or alter plumbing for a single-family, two-family, or three-family dwelling, a nonresidential building, an accessory structure, or any other building governed by 3781.06 ORC shall be accompanied by an application fee and a fee for each trap, vented fixture, appliance, or device, as established by the Board.
- 7.4** No plumbing permit shall be issued to any person, firm, corporation, general contractor or subcontractor who has not obtained a valid certificate of registration and whose name does not appear on the register of plumbing contractors, except as exempted in 7.1 above.
- 7.5** Whenever a re-inspection is deemed necessary based on the failure of the applicant or plumbing contractor to have the work ready for inspection when so reported or by reason of faulty or improper installation, such person shall pay a fee established by the Board for each such re-inspection requested.
- 7.6** The permit shall be posted in a conspicuous location on the property where the work is being conducted.
- 7.7** The permit shall be valid for one year from the date of issuance.
- 7.8** A permit may be transferred to another registered plumbing contractor with the permission and written consent of the original plumbing contractor and the property owner.

Section 8 - Penalty

- 8.1** Any person who violates any provision of this regulation shall be in violation of, and subject to the penalties provided in section 3709.99 of the Ohio Revised Code.

Section 9 - Effect of Partial Invalidity

- 9.1** Should any part or provision of this regulation be declared unlawful, unconstitutional or invalid for any reason, the remainder of this regulation shall not be affected thereby and shall remain in full force and effect.